

Express Mail No. ER 953587640 US

Docket No. K21409USWO C038435/0185656

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE ACTING AS
DESIGNATED/ELECTED OFFICE (DO/EO/US) UNDER THE PATENT
COOPERATION TREATY CONCERNING A FILING UNDER 35 U.S.C. § 371

In re Application of:)
Tatsuo HOSHINO and Masako SHINJOH)
Based on Int'l Application No.: PCT/EP2003/010489) Examiner: Not yet assigned
International Filing Date: 22 September 2003) Art Unit: Not yet assigned
Filed: Herewith)
For: **PROCESS FOR PRODUCING L-ASCORBIC ACID**)

New York, New York
March 23, 2005

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record the following documents (clean copies and a Form PTO-1449 listing the documents are enclosed). The following documents were cited in the International Search Report, mailed February 16, 2004 in the International application corresponding to the above-captioned case.

U.S. PATENT DOCUMENTS

| | <u>Document No.</u> | <u>Date</u> |
|----|----------------------------|--------------------|
| A1 | 6,242,233 | 6/5/2001 |

FOREIGN PATENT DOCUMENTS

| | <u>Document No.</u> | <u>Date</u> | <u>Country</u> |
|----|----------------------------|--------------------|-----------------------|
| B1 | 0 832 974 A2 | 4/1/1998 | Europe |
| B2 | 0 911 415 A2 | 4/28/1999 | Europe |

OTHER DOCUMENTS

- C1 Sugisawa, T. *et al.*, "Isolation and Characterization of a New Vitamin C Producing Enzyme (L-Gulonolactone Dehydrogenase) of Bacterial Origin," Biosci. Biotech. Biochem. v. 59, no. 2, pp. 190-196 (1995).
- C2 Macauley, S. *et al.*, "The Genus *Gluconobacter* and Its Applications in Biotechnology," Critical Reviews in Biotechnology, v. 21, no. 1, pp. 1-25 (2001).
- C3 Hancock, R. and Viola, R., "Biotechnological Approaches for L-Ascorbic Acid Production," Trends in Biotechnology, v. 20, no. 7, pp. 299-305 (2002).
- C4 Boudrant, J., "Microbial Processes for Ascorbic Acid Biosynthesis: A Review," Enzyme Microb. Technol. v. 12, pp. 322-329 (1990).
- C5 Saito, Y. *et al.*, "Cloning of Genes Coding for L-Sorbose and L-Sorbose Dehydrogenases from *Gluconobacter Oxydans* and Microbial Production of 2-Keto-L-Gulonate, A Precursor of L-Ascorbic Acid, In a Recombinant *G. Oxydans* Strain," Appl. and Env. Microbiology, v. 63, no. 2, pp. 454-460 (1997).

The Examiner's independent consideration of all of these documents and their relevance before issuance of the first official action is respectfully requested. The Examiner is also requested to initial and return a copy of the accompanying form PTO-1449 to evidence such consideration.

Copies of the International Search Report and International Preliminary Examination Report are included herewith. All documents cited in these reports are identified herein and copies of all documents, other than the U.S. Patent Document, are provided. See MPEP § 609(III)(A)(2)(A) (8th Ed., Rev. 2, May 2004, p. 600-128); See also 1276 OG 55 (August 5, 2003) (Waiving the requirement under Rule 98(a)(2)(1) to

provide a copy of each cited U.S. patent document for any application filed after June 30, 2003.).

This Information Disclosure Statement is being filed in accordance with the provisions under 37 C.F.R. §1.97(b)(2), within three months of the date of entry of the national stage of the national application. Accordingly, no fee is believed to be due. If, however, a fee is due, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

Respectfully submitted,

By: Charles M. Avigliano
Charles M. Avigliano
Registration No. 52,578
BRYAN CAVE LLP
1290 Avenue of the Americas
New York, NY 10104
Phone: (212) 541-2000
Fax: (212) 541-4630

provide a copy of each cited U.S. patent document for any application filed after June 30, 2003.).

This Information Disclosure Statement is being filed in accordance with the provisions under 37 C.F.R. §1.97(b)(2), within three months of the date of entry of the national stage of the national application. Accordingly, no fee is believed to be due. If, however, a fee is due, please charge the same to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

Respectfully submitted,

By: Charles M. Avigliano
Charles M. Avigliano
Registration No. 52,578
BRYAN CAVE LLP
1290 Avenue of the Americas
New York, NY 10104
Phone: (212) 541-2000
Fax: (212) 541-4630

JC14 Rec'd PCT/PTO 23 MAR 2005

| | | | |
|---|--|--|---|
| Form PTO-1449 (Rev.) | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO. K21409USWO C03843 656 | INTERNATIONAL APPLICATION NO. PCT/EP2003/010489 10/528673 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | | APPLICANT Tatsuo HOSHINO and Masako SHINJOH | |
| | | INTERNATIONAL FILING DATE 22 September 2003 | GROUP Not Yet Assigned |

U.S. PATENT DOCUMENTS

| Examiner Initial | Cite No. | U.S. Patent Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate |
|------------------|----------|-----------------------------|----------|-----------------------|-------|----------|----------------------------|
| | A1 | 6,242,233 | 6/5/2001 | Hoshino <i>et al.</i> | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

FOREIGN PATENT DOCUMENTS

| | | Document Number | Date | Country | Class | Subclass | Translation | |
|--|----|-----------------|-----------|---------|-------|----------|-------------|----|
| | | | | | | | Yes | No |
| | B1 | 0 832 974 A2 | 4/1/1998 | Europe | | | | |
| | B2 | 0 911 415 A2 | 4/28/1999 | Europe | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|---|
| C1 | Sugisawa, T. <i>et al.</i> , "Isolation and Characterization of a New Vitamin C Producing Enzyme (L-Gulonolactone Dehydrogenase) of Bacterial Origin," <u>Biosci. Biotech. Biochem.</u> v. 59, no. 2, pp. 190-196 (1995). |
| C2 | Macauley, S. <i>et al.</i> , "The Genus <i>Gluconobacter</i> and Its Applications in Biotechnology," <u>Critical Reviews in Biotechnology</u> , v. 21, no. 1, pp. 1-25 (2001). |
| C3 | Hancock, R. and Viola, R., "Biotechnological Approaches for L-Ascorbic Acid Production," <u>Trends in Biotechnology</u> , v. 20, no. 7, pp. 299-305 (2002). |
| C4 | Boudrant, J., "Microbial Processes for Ascorbic Acid Biosynthesis: A Review," <u>Enzyme Microb. Technol.</u> v. 12, pp. 322-329 (1990). |
| C5 | Saito, Y. <i>et al.</i> , "Cloning of Genes Coding for L-Sorbose and L-Sorbose Dehydrogenases from <i>Gluconobacter Oxydans</i> and Microbial Production of 2-Keto-L-Gulonate, A Precursor of L-Ascorbic Acid, In a Recombinant <i>G. Oxydans</i> Strain," <u>Appl. and Env. Microbiology</u> , v. 63, no. 2, pp. 454-460 (1997). |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.